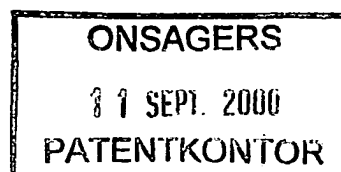
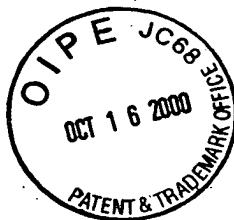


EXHIBIT 1

1 September 2000

Professor Vincent Eijsink  
Agricultural University of Norway  
Department of Chemistry and Biotechnology, IKB  
P.O. Box 5040  
N-1432 Aas  
NORWAY



RECEIVED

Blackwell  
Science

OCT 19 2000

TECHNICAL CENTER

Blackwell Science Ltd  
Osney Mead, Oxford  
OX2 0EL, UK  
Telephone (01865) 206206  
Fax (01865) 721205  
www.blackwell-science.com

Dear Professor Eijsink,

***Molecular Microbiology* (1995) 18: 631-639**

Following your enquiry, I would like to confirm that volume 18 issue 4 of *Molecular Microbiology* was published on 13 December 1995. This issue contained the paper:

Diep, D.B., Håvarstein, L.S., and Nes, I.F. (1995) A bacteriocin-like peptide induces bacteriocin synthesis in *Lactobacillus plantarum* C11. *Mol Microbiol* 18: 631-639

I hope this information is sufficient for your requirements.

Please do not hesitate to contact me if you have any further enquiries.

With best wishes.

Yours sincerely,

Dr Louise A Shilton  
Journal Publishing Coordinator: Science  
Blackwell Science Ltd  
Email: Louise.Shilton@blacksci.co.uk

Berlin  
Boston  
Edinburgh  
London  
Melbourne  
Paris  
Vienna  
Tokyo

Registered office  
Osney Mead, Oxford OX2 0EL, UK  
Registration number  
349566 England

BIRCH, STEWART, KOLASCH & BIRCH, LLP

INTELLECTUAL PROPERTY LAW  
8110 GATEHOUSE ROAD  
SUITE 500 EAST  
FALLS CHURCH, VA 22042-1210  
USA  
(703) 205-8000

FAX: (703) 205-8050  
(703) 698-8590 (G IV)

e-mail: mailroom@bskb.com  
web: http://www.bskb.com

CALIFORNIA OFFICE:  
COSTA MESA, CALIFORNIA

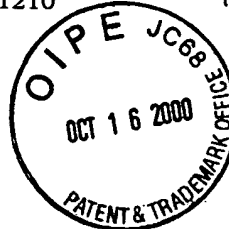
TERRELL C. BIRCH  
RAYMOND C. STEWART  
JOSEPH A. KOLASCH  
JAMES M. SLATTERY  
BERNARD L. SWEENEY\*  
MICHAEL K. MUTTER  
CHARLES GORENSTEIN  
GERALD M. MURPHY, JR.  
LEONARD R. SVENSSON  
TERRY L. CLARK  
ANDREW D. MEIKLE  
MARC S. WEINER  
JOE MCKINNEY MUNCY  
ROBERT J. KENNEY  
DONALD J. DALEY  
JOHN W. BAILEY  
JOHN A. CASTELLANO, III  
GARY D. YACURA

OF COUNSEL:  
HERBERT M. BIRCH (1905-1996)  
ELLIOT A. GOLDBERG\*  
WILLIAM L. GATES\*  
EDWARD H. VALANCE  
RUPERT J. BRADY (RET.)\*  
F. PRINCE BUTLER  
FRED S. WHISENHUNT

\*ADMITTED TO A BAR OTHER THAN VA.

CPA/1652  
#17  
10/20/00  
RECEIVED  
OCT 19 2000  
THOMAS S. AUGER, JR.  
JAMES T. ELLER, JR.  
SCOTT L. LOWE  
MARK J. NUEL, Ph.D.  
D. RICHARD ANDERSON  
PAUL C. LEWIS  
MARK W. MILSTEAD  
RICHARD J. GALLAGHER  
JAYNE M. SAYDAH\*

REG. PATENT ATTORNEYS  
FREDERICK R. HANDELMAN  
MARYANNE ARMSTRONG, Ph.D.  
MAKI HATSUMI  
MIKE S. RYU  
CRAIG A. MCROBBIE  
GARTH M. DAHLEN, Ph.D.  
LAURA C. LUTZ  
ROBERT E. GOOZNER, Ph.D.  
HYUNG N. SOHN  
MATTHEW J. LATTIG  
ALAN PEDERSEN-GILES  
C. KEITH MONTGOMERY  
TIMOTHY R. WYCKOFF  
KRISTI L. RUPERT, Ph.D.  
LARRY J. HUME  
ALBERT LEE  
HRAIR A. SAYADIAN, Ph.D.



Date: October 16, 2000

Docket No.: 1380-0122P

Appl. No.: 09/068,507

**BOX CPA**

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

This is a Request for filing a continued prosecution application under 37 C.F.R. § 1.53(d) of prior Application No. 09/068,507 entitled EXPRESSION SYSTEM IN MICROORGANISM AND ITS USE FOR EXPRESSING HETEROLOGOUS AND HOMOLOGOUS PROTEINS by the following named Inventor(s):

Vincent G. H. EIJSINK and Ingolf F. NES

☐ This application is filed by fewer than all the inventors named in the prior application, 37 C.F.R. §1.53(d)(4).

a. ☐ **DELETE** the following inventor(s) named in the prior nonprovisional application:

b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.

The above-identified prior application, in which no payment of the issue fee, abandonment of, or termination of proceedings has occurred, is hereby expressly abandoned as of the filing date of this new application. Please use all of the contents of the prior application file wrapper, including the drawings, as the basic papers for the new application.

10/17/2000 CNGUYEN 00000099 09068507

01 FC:231	355.00 OP
02 FC:203	81.00 OP
03 FC:202	40.00 OP
04 FC:204	135.00 OP
05 FC:216	195.00 OP

MAIL ADDRESS: P.O. Box 747, FALLS CHURCH, VIRGINIA, USA 22040-0747

1. ☐ Enter the Amendment previously filed , under 37 C.F.R. § 1.116 but unentered, in the prior application.
2. ☒ A Preliminary Amendment is enclosed.
3. ☐ An Information Disclosure Statement and PTO-1449 form(s) are attached hereto for the Examiner's consideration.
4. ☐ A new power of attorney or authorization of agent is enclosed.

The filing fee is calculated on the basis of the claims existing in the prior application as amended at 1 and 2 above.

			LARGE ENTITY	SMALL ENTITY
BASIC FEE			\$710.00	\$355.00
	NUMBER FILED	NUMBER EXTRA	RATE FEE	RATE FEE
TOTAL CLAIMS	29-20=	9	x 18 = \$0.00	x 9 = \$81.00
INDEPENDENT CLAIMS	4-3=	1	x 80 = \$0.00	x 40 = \$40.00
<input checked="" type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED			+ \$270.00	+ \$135.00
TOTAL			\$0.00	\$611.00

5. Small entity status:

- ☐ A small entity statement is enclosed.
- ☒ A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.
- ☐ Is no longer claimed.

6. ☐ Priority of Application No(s). filed in on  
is claimed under 35 U.S.C. § 119. See attached  
copy of the Letter claiming priority filed in the prior  
application on .

7. ☒ Priority of International Appl.PCT/N096/00266 filed November 13, 1996 under the Patent Cooperation Treaty and Norway Application No. 954575 filed in Norway on November 13, 1995 under 35 U.S.C. § 119 are hereby reclaimed.
8. ☒ Address all future communications to:  
  
BIRCH, STEWART, KOLASCH & BIRCH, LLP  
P.O. Box 747  
Falls Church, VA 22040-0747  
Telephone: (703) 205-8000  
**or**  
Customer No. 2292
9. ☒ The applicant(s) hereby petition(s) for an extension of two (2) month(s) pursuant to 37 C.F.R. §§ 1.17 and 1.136(a). The fee has been calculated as shown below:
- ☒ NO extensions of time have been previously obtained in the prior application. Thus, a fee of \$195.00 is required for the full period of the above-requested extension of time.
- ☐ An extension of ( ) month(s) was previously requested and paid for on in the prior application. Thus, a fee of \$0.00 is required to obtain an additional ( ) month(s) in order to establish co-pendency with the present application.
10. ☒ A check in the amount of \$806.00 is enclosed.
11. ☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this request is enclosed.
12. ☐ The filing fee is **NOT** attached. Please issue a Notice requesting the filing fee.
13. ☐ Also enclosed herewith is the following:

---

---

---

Appl. No. 09/068,507

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

It is understood that secrecy under 35 U.S.C. § 122 is hereby waived to the extent that if information or access is available to any one of the applications in the file wrapper of a 37 C.F.R. § 1.53(d) application, be it either this application or a prior application in the same file wrapper, the Patent and Trademark Office may provide similar information or access to all of the other applications in the same file wrapper.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By *Gerald M. Murphy, Jr.* <sup>#</sup>36,623  
Gerald M. Murphy, Jr., #28,977

GMM/KLR/jao  
1380-0122P

P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000

Attachments

(Rev. 09/29/2000)